dedication through the expenditure of public funds on a travelled way. It declared the road allowance to be 66' wide.[10]

## April 8, 1905

### Land Act Amendment Act, 1905

The Land Act Amendment Act, 1905[11] addressed the emerging issue of rights of way for forestry purposes at s.4. Language around pre-emptions and Crown grants carried on in future enactments a similar manner, expanding to reserve easements and rights of way, and the *free entry* system generally, for all manner of purposes in a complex matrix of administrative overlap that continues to this day.

The now scrapped *Natural Resource Roads Act* initiative illustrates the issue that has defied efforts to address, in spite of the recognized importance and public interest vested in such roads.[12]

## July 27, 1910

### The first mention of the road

The earliest discovered explicit record is a memo detailing a request from Mr. B. Blanchard for a road to S. 57, Sooke District (PID: 009-388-630), an irregular parcel south of what was later to be named Glinz Lake, touching the SW corner of S. 56, Goldstream (PID: 010-680-811).[13] The property was later pre-empted and granted to Charles Palmer in 1920. [14]

## August 3, 1911

### Arnold Glinz pre-emption, S.57, Goldstream[15]

Arnold Glinz made application for pre-emption of S.57 Goldstream dated August 3, 1911, later abandoned.

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[10] BoD 1-6
[11] BoD 1-7
[12] BoD 1-8
[13] BoD 1-9
[14] BoD 1-10
[15] BoD 1-11

## August 9, 1911

### Application to purchase S.59, Goldstream

On August 9, 1911 an entry is made in the District Land Register recording the application to purchase S.59, Goldstream (PID: 008-008-876) by Edward Murphy. [16]

## Lands-Forests Act, 1912

### Establishment of the Forest Branch, Department of Lands

The issue of rights of way begins to be regulated in the overlap of Lands and Forests jurisdictions (VI)[17]

## January 31, 1912

### J.B. MacNutt letter

A letter dated January 31, 1912 was sent to the Deputy Commissioner by J.B. MacNutt, pre-emptor of S.56, Goldstream, PID: 001-680-811. He requested the road be built into his property, referring to "two fine homes on Sections 57 & 56," along with several others that were delayed in construction waiting for a road to be built.[18]

## May 20, 1912

### Leonard Glinz pre-emption S.54, Goldstream

On May 20, 1912 the pre-emption record was entered in the name of Leonard Glinz for S.54, Goldstream (PID: 001-680-790), later abandoned.[19]

## November 25, 1912

### Crown Grant, Section 59, Goldstream

On November 25, 1912, Edward Murphy, having completed the offer to purchase made August 9, 1911, was awarded title to S. 59, Goldstream, (PID: 008-008-876) by Crown grant.[20] Access to the parcel was by way of pack trail or "settler's road," as it was to all of the parcels.

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[16] BoD 1-12
[17] BoD 1-13
[18] BoD 1-14
[19] BoD 1-15
[20] BoD 1-16

## December 8, 1912

### Glinz, Powell letter

A letter dated December 8, 1912 signed by the Glinz brothers, pre-emptors of S.54, PID: 001-680-790 and S.57, PID: 001-680-838, and T.G. Powell, S. 63, Goldstream PID: 009-835-849 was sent to Public Works requesting development of the road.[21]

## December 11, 1912

### Public Works report on viability of developing road

A report by J.E. Griffith, Public Works Engineer was rendered in regards to the proposed road, determining that although there were "two good houses on sections 56 & 57," the road would be about 2.5 mi at a cost of $3500.00, and "very little to justify the expenditure."[22]

## July 22, 1913

### Crown Grant, S.62, Sooke

S. 62, Sooke, PID: 010-976-531 is now Crown land. The Crown grant was made July 22, 1913 and contained the road exception. It reverted to the Crown by forfeiture December 21, 1926[23] and is currently leased to the YMCA. The lease contains the road exception "...save and except those portions of the Land that consist of trails, roads, highways…". The section of road transecting PID: 010-976-531 to which access is contested by the YMCA is clearly shown on the map appended to the lease.[24]

## December 8, 1915

### Arnold Glinz S. 57, Goldstream pre-emption abandonment

Correspondence indicates considerable difficulty was experienced in compliance with statutory terms of pre-emption, and Arnold Glinz defaulted and subsequently abandoned the 1911 pre-emption of S.57, Goldstream on December 8, 1915.[25]

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[21] BoD 1-17
[22] BoD 1-18
[23] BoD 1-19
[24] BoD 1-20
[25] BoD 1-21

## December 1915

Survey of s.57, Sooke PID: 009-388-630

Field notes of F.A. Devereux of a survey of S. 57, Sooke date the survey line run December 17, 1915. The related sketch shows the unnamed road roughly halfway to the lake, with a house immediately west of it.[26]

## March 11, 1916

Glinz letter re. road

On March 11, 1916 a letter was submitted by the Glinz brothers with some frustration, stating they would take it upon themselves to develop the trail into an 8' wagon road.[27]

## April 26, 1916

Glinz brothers abandon S.54 & S.57, Goldstream pre-emptions

Once again in default of statutory pre-emption terms, on April 26, 1916 Arnold and Leonard Glinz abandoned pre-emptions of S. 54 & 57, Goldstream.[28]

## April 27, 1916

Glinz bros pre-emption S.56 & 57, Goldstream

Having abandoned S. 54 & 57, Goldstream pre-emptions, Arnold and Leonard Glinz jointly applied for pre-emption of S.56 & 57, Goldstream on April 27, 1916. An inspection report dated March 30, 1917 has a picture of a "split cedar house, painted red," value $500.00.[29]

## May 25, 1916

First expenditure of public funds on a travelled way

Numerous requests continued by settlers to develop what existed as *packtrail* typically used by horses or mule train, into a proper road.

[26] BoD 1-22 [27] BoD 1-23 [28] BoD 1-24 [29] BoD 1-25

On May 25, 1916 public funds in the amount of $250.00 were authorized in a letter to the Glinz brothers by the Deputy Minister & Public Works Engineer.[30] A total of $459.00 in expenditures for the 1916-17 fiscal year was recorded in the public works ledger. (Public Works Report, 1916-17, Vote 152, Roads, Trails and Streets, p. B38, Road – Glinz

Similar amounts were reported in the ledger at regular intervals, totalling nearly $1,570.00 by 1936.[31]

## July 28, 1920

### Palmer Crown Grant

On July 28, 1920 a pre-emption taken by Charles Henry Palmer was *proved up* and three properties (S. 57, Blk. A L.59, Blk. A, L.60, Sooke) were conveyed by crown grant. As referenced at December 1915, above, S. 57, Sooke was surveyed in 1915, showing a house beside the existing road. The grant contained the clause *"PROVIDED also that all travelled streets, roads, trails, and other highways existing over or through said lands at the date hereof shall be excepted from this grant."*[32]

## November 2, 1920

### Land Classification Report – Frederick Horne pre-emption S. 54, Goldstream

A sketch attached to a Land Classification Report dated November 2, 1920 shows the road as "good trail" to a house beside Glinz Lake, carrying on into S.54, Goldstream as "trail."[33]

## December 2, 1921

### Glinz bros abandon S.56 & 57 pre-emption

Competition for land was merciless and statutory terms of pre-emption were brutal. Authorities permitted the practice of "claim jumping" so that people in the area watched for opportunities in which others were away from their pre-emptions for extended periods. They would then "jump the claim" by filing an application for pre-emption, serving notice on the occupier. In 1921 the absence of the Glinz brothers again attracted the attention of several

[30] BoD 1-26 [31] BoD 1-27 [32] BoD 1-28 [33] BoD 1-29

locals, who in turn filed competing applications of pre-emption. The matter was subsequently referred to the Minister, who decided not to cancel the Glinz pre-emption, but required it to be abandoned as condition of accepting an offer to purchase. The pre-emption was accordingly abandoned on December 2, 1921, all improvements reverting to the Crown.[34]

## 1920-1921

Public Works Expenditure - $51.00[35]

## 1921-1922

Public Works Expenditure - $24.50[36]

## December 16, 1922

### Highway Act, 1922

On December 16, 1922 the *Highway Act Amendment Act,* 1922 was enacted containing the provision: " *6. All existing travelled roads not heretofore established by notice in the Gazette or otherwise dedicated to the public use by a plan deposited in the Land Registry Office for the district in which the roads are situated respectively, on any portion of which public money has been expended, shall be deemed and are hereby declared to be public highways.*".[37]

At the time of coming to force of the amendment, public money in the amount of $534.50, as recorded in the Public Works reports of 1916-1922, had been expended on the road, over 1700 man-hours at a time when men were paid 30c/hr for hard labour.

[34] BoD 1-30 [35] BoD 1-31 [36] BoD 1-32 [37] Bod 1-33

## 1922-1923

Public Works Expenditure - $28.00[38]

## 1923-1924

Public Works Expenditure - $156.40[39]

## November 1924

Early Forestry development - Shingle mill

By 1911 the forest industry was becoming of great importance to British Columbia, as documented in the Forest Service archives available online at https://www.for.gov.bc.ca/hfd/pubs/docs/mr/annual/ar_1911-30/

Settlers were moving into the area near Glinz Lake, and a letter from F.W. Horne to Public Works requesting a road be built to S.54, date stamped Nov 8, 1924, resulted in a report with a sketch of the road leading to a shingle mill located at the south end of the lake. [40]

## 1924-1925

Public Works Expenditure - $24.50[41]

## January 20, 1926

Horne Crown Grant

The Crown grant for S. 54, PID: 001-680-790 was made January 20, 1926 and contains the clause "PROVIDED also that all travelled streets, roads, trails, and other highways existing over or through said lands at the date hereof shall be excepted from this grant."[42]

[38] BoD 1-35
[39] BoD 1-36
[40] BoD 1-37
[41] BoD 1-38
[42] BoD 1-39

## January 28, 1926

Deputy Minister authorized $150.00

In a letter dated January 28, 1926 responding to the repeated requests, the Deputy Minister authorized $150.00 in aid of construction through to S. 54, Goldstream (PID: 001-680-790) pre-empted by F.W. Horne,[43] approximately 500m past the north end of Glinz Lake.

## 1925-1926

Public Works Expenditure - $92.75[44]

## 1926-1927

Public Works Expenditure - $90.45[45]

## April 1, 1930

Highway Act

The 1930 Highway Act re-enacted s. 6. "*6. All travelled roads existing on the first day of April, 1930, not theretofore established by notice in the Gazette, or otherwise dedicated to the public use by a plan deposited in the Land Registry Office for the district in which the roads are situate -respectively, on any portion of which public money has been expended, shall be deemed and are hereby declared to be public highways. 1930, c. 24, s. 6."* [46]

By April 1930 the road extended past Glinz Lake into s. 54, Goldstream.

[43] BoD 1-40 [44] BoD 1-41 [45] BoD 1-42 [46] BoD 1-43

## 1930-1931

Public Works Expenditure - $160.00[47]

## 1931

Air photograph A3321-6 shows road through S. 57, Goldstream (PID: 001-680-838)[48]

The road, beginning as "pack trail" was later recorded in a 1934 Forest Service timber sale inspection sketch for TSX 16867, referenced below. By this time the road was built for and "*used for travel by motor vehicles*."

## 1931-1932

Public Works Expenditure - $195.30[49]

## May 5, 1934

Forest Act roads: Timber Sale contract TSX 16867

Forest Act roads were private roads constructed on Crown land under the authorization of Timber Sale contracts, and "*used for travel by motor vehicles*." At the expiry of the TSX contract the road, as an improvement, reverted to the Crown under the terms of the contract.

By 1934 there was substantial forestry activity in the area, with cut blocks sold at auction to logging operators by timber sale contract. Forest Service inspectors would inspect prospective cut blocks, typically sketch the location along with any existing roads, and authorize new Forest Act road construction under the timber sales contract. TSX 16867, dated 05-05-1934 has an associated sketch showing Glinz Lake Road constructed through to the side of Glinz Lake.[50]

## June 11, 1935

The Daily Colonist article

In and about 1935 the YMCA had begun to operate a camp near Glinz Lake at the Forest Development recreation site.[51]

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[47] BoD 1-44
[48] BoD 1-45
[49] BoD 1-46
[50] BoD 1-47
[51] BoD 1-48

## September 30, 1935

### YMCA acquires rights

The Glinz brothers had a standing offer to purchase from the Crown, but had not yet received a Crown grant and title to the property. YMCA acquired an option for rights to S. 56 (PID: 001-680-811) & 57 (PID:001-680-838), Goldstream from the Glinz brothers for $2000.00. [52]

## 1935-1936

### Public Work expenditure - $104.40[53]

## June 3, 1936

### Letter to Minister of Public Works requesting work be done on the road.

June 3, 1936, a letter from lawyer W.T. Straith was sent to the Minister of Public works on behalf of the YMCA requesting additional work on the road. The work was subsequently authorized on June 12, 1936 by the District Engineer at the direction of the Minister.[54]

## July 13, 1936

### The Daily Colonist article

The Daily Colonist reported the YMCA directors had attended the camp and conducted a "comprehensive tour of inspection of the property."[55]

## July 23, 1936

### TSX 20427 S. 58, Goldstream

An expression of interest in timber on S.58, Goldstream, PID: 010-730-346, resulted in an inspection by the District Forester, noting that the applicant had "repaired 1.25 miles of road to area adjacent," which is S.53, Goldstream, PID: 009-835-792.[56]

[52] BoD 1-49
[53] BoD 1-50
[54] BoD 2-1
[55] BoD 2-2
[56] BoD 2-3

This date is consistent with the road shown in Air Photo 2942-34 (1961), which shows the road run clear through to S.59, Goldstream, PID: 008-008-876, by 1961 under timber sale contracts TSX 29925 and others enumerated in Forest Atlas 92B/5.[57] [58] [59]

## June 13, 1937

### The Daily Colonist runs a feature story

The June 13, 1937 issue of The Daily Colonist featured a feature story titled "Victoria Boys Go Native" at the camp.[60] "*It Is only twenty-two miles from Victoria, twenty of which are paved road and the last two Government gazetted dirt road. It Is two miles from the highway and practically at the end of the road*."

The digital version of the document is available online here: https://archive.org/details/dailycolonist19370613/page/n24/mode/1up?view=theater&q=glinz

By this date the road to Glinz Lake and beyond was a well travelled public road.

## March 14, 1938

### Severe road damage from logging prompts complaints

A Department of Public Works memo dated March 14, 1938 comments on damage from years of log hauling on the road. The road is stated as being about 2.25 miles long and 9' wide, placing it nearly a mile past the lake into S.53, Goldstream (PID: 009-835-792).[61]

## Unemployment Relief Fund, 1938

### Forest Development sub-project #22, Glinz Lake $24,669.40

By 1938 the depression era was well under way, and Forest Development projects were used to provide relief. As reported in the BC Sessional papers, BC Public Accounts, Unemployment Relief Fund, Forest Development, Sub-project No.22 – Glinz Lake, funding in the amount of $24,669.40 is recorded for the development of a provincial forest recreation site at Glinz Lake.

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[57] BoD 2-4
[58] BoD 2-5
[59] BoD 2-6
[60] BoD 2-7
[61] BoD 2-8

Materials like gravel and wood were taken from the area at next to no cost. Allowing ½ of the amount for labour, that would be 40,000 man-hours at a time when men were paid .30c/hr for hard labour.[62] [63]

## March 28, 1938

### Glinz Crown Grant,

S. 56, Goldstream (PID: 001-680-811), S. 57, Goldstream (PID: 001-680-838)

On March 28, 1938 the Glinz brothers completed the purchase and were granted S. 56 & S. 57, Goldstream, within which was the Glinz Lake Forest Recreation site.[64] The Crown grant contains the highways exemption and retains the lake to the Crown.

## April 7, 1938

### YMCA acquires Glinz properties

The YMCA exercised its option and title to the property was subsequently transferred to the YMCA on April 7, 1938.[65]

## 1939

### Forest Branch report lists Glinz Lake project

The Forest Branch Projects are summarized in the Dept. of Lands, 1939, Forest Branch report, p. E9, among which the Glinz Lake project is listed.[66]

The report from the Dept. of Trade and Industry, 1939, p. FF22, describes the development of tourism and parks, citing the Youth Forestry Training Plan "Forest Training Crew" work at Glinz Lake, among others.[67]

[62] BoD 2-9
[63] BoD 2-10
[64] BoD 49
[65] BoD 49
[66] BoD 2-11
[67] BoD 2-12

## July 23, 1939

### Daily Colonist reports work by unemployed men

The Daily Colonist ran another feature article on July 23, 1939 titled "Camping Days Are Here." It details operation of the camp and refers to the work done by unemployed men working the previous winter under the supervision of the provincial forestry department paid through the Unemployment Relief Fund and/or Forest Development budget as documented in the *BC sessional papers*[68], making improvements to the buildings and road. [69] It refers to use of the camp by other groups such as the Canadian Girls in Training (CGIT.)

https://archive.org/details/dailycolonist0739uvic_18/page/n20/mode/1up?view=theater&q=ragged+mountain

http://data2.archives.ca/pdf/pdf001/p000000206.pdf

## 1936 - 1962

### TSX contracts

Documentation for Timber Sale contracts and Logging Inspection Reports from 1936 through 1962 can be pieced together to account for the roads in and around s. 58, Goldstream, the Crown parcel adjoining the Applicant's northerly mineral tenure area overlapping S. 59, Goldstream. [70] The logging activity accounts for the alternate route identified in the Wittstock survey that was built to bypass the difficult creek crossing on the main haul road north through S.53, referenced in the November 3, 1944 memos by Ranger J. McNeil. The bypass is shown on the overview map as light blue line from S.57 to S.58, and is part of this application. [71]

## November 3, 1944

### First recorded obstruction of the road – Public Works file #615

Two memos dated November 3, 1944 from Ranger J. McNeil to the District Forester detail "friction" between logging operators over the use of the road connecting "the Glintz [*sic*] Lake Rd. and the Settler's Rd.." He referred the complainants to Public Works and the Provincial

[68] BoD 2-9 – 2-12 [69] BoD 2-13 [70] BoD 2-14 – 2-15 [71] BoD 2-5, 2-14

Police. He went on to express uncertainty as to whether the road was classed as a Public Highway.[72]

## November 25, 1944

### Chief Engineer directs survey of road

In a memo dated November 25, 1944, the Chief Engineer A.L. Carruthers directs the District Engineer to survey the road "from the end of the existing public highway in Section 57 (Goldstream) through Sections 54, 57, 58, 53, 52, 51 and 48 to the Beatty-Johnson Road for the purpose of gazetting same as public highway."[73]

A sketch of the route shows the road.[74]

## March 28, 1945

### Highway Amendment Act, 1945

The Highways Act, 1936 was again amended to reenact s.6, and captured any roads on which public money had been spent into the regulatory sphere of the Act. This would include the entire road through to the "Beatty – Johnson Road" crossing through S.58, Goldstream PID: 010-730-346.[75] S. 58, Goldstream, is Crown land currently leased to the YMCA. The lease contains the road exemption, which includes the branch of road to S.59, where two of the Applicant's tenures are located. The road is shown in Air Photo 248-78 (1946) and 2942-34 (1961).

## November 3, 1954 – April 10, 1995

### YMCA has begun to obstruct the road

By 1954 the availability of motor vehicles and an expanding urban population was creating so much public traffic and associated problems on the road that the YMCA began petitioning public works for permission to erect a gate after unilaterally beginning construction of the gate.[76] [77]

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[72] BoD 2-16
[73] BoD 2-17
[74] BoD 2-18
[75] BoD 2-19
[76] BoD 2-20
[77] BoD 2-21

## YMCA lease 1967 – current

In 1967 the YMCA entered into a lease of adjacent Crown lands. The lease excepts roads and trails, and the main road is shown on a sketch in the "Legal Description Schedule." [78]

## YMCA video circa 1958

### Logging operations

This video from the BC archives shows the character of forestry road and "high lead" logging operation northerly from Glinz Lake around 1958.

Online:https://drive.google.com/file/d/1OzCqlZ1QaJlJPy-qTsVHw2ViVqluq5LY/view?usp=share_link

## September 27, 1972

### Daily Colonist article – Glinz Lake Road closure

The YMCA continued to petition for closure of the road, and the matter was finally brought resolution when the Ministry published notice of the proposed closure, commented on in the Daily Colonist.[79]

https://archive.org/details/dailycolonist19720927/page/n18/mode/1up?view=theater&q=glinz+hunting

## November 7, 1972

### Final decision of the Minister of Highways that the road remain open to the public

On November 7, 1972 a letter from District Engineer E.A. Lund was sent to the YMCA communicating the decision of the Minister of Highways that the road was to remain open to the public.[80]

[78] BoD 2-42 [79] BoD 2-23 [80] BoD 2-24